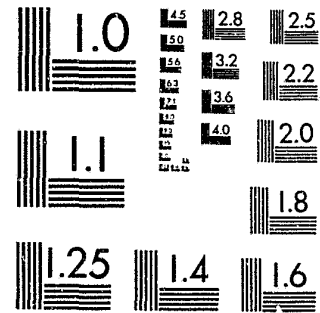


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National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

7/23/84



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TO: WEST VIRGINIA COUNTY SHERIFFS, JAILERS AND COUNTY COMMISSIONS

Enclosed are the standards and guidelines that the Committee follows in making its inspections and reviews. These standards are a compilation of the mandates of federal and state constitutional principles prescribed by courts, and by federal and state statutes.

The standards were developed in response to requests by sheriffs, jailers, and County Commissioners for guidelines as to their responsibilities in the operation of a jail. During jail inspections the Committee was informed by sheriffs and other officials that they do not have knowledge of the legal standards by which their facilities should be operated and that they are not able to keep abreast with the requirements of the law.

We are aware that a few of the standards impose related facility needs and will take time to implement. Nonetheless, these standards will give criminal justice professionals and public officials notice of current legal requirements.

The Committee urges sheriffs and jailers to communicate any problems of implementation or other comments and suggestions to the Committee. We will provide any information or other like assistance in implementation that we are able.

JUVENILE JUSTICE COMMITTEE
WEST VIRGINIA SUPREME COURT OF APPEALS

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U.S. Department of Justice
National Institute of Justice

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JAIL STANDARDS

NOVEMBER, 1981

JUVENILE JUSTICE COMMITTEE
WEST VIRGINIA SUPREME COURT OF APPEALS

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ACQUISITIONS

JAIL STANDARDS

I. PHYSICAL CONDITIONS AND SERVICES

STANDARD 1: FIRE PREVENTION

1.A. Compliance with Fire Marshal's Office. All facilities must be in compliance with state law and implementing regulations relative to fire safety. Properly rated fire doors and an alternative means of egress are essential. Violations must be corrected and notice of compliance filed with the Fire Marshal's Office. (See Appendix A for sample safety check list from the Fire Marshal's Office - Note: This is not a comprehensive list of state safety regulations).

1.B. Fire Prevention Plan. There shall be periodic testing of fire alarm and extinguishing systems, and records kept thereof.

1.C. Fire Evacuation Plan. The facility shall have a written evacuation plan in case of fire or major emergency. The plan shall include written procedures for the prompt release of residents and a locking system, such as a master key system, which ensures immediate release for residents in emergency circumstances. Jail staff must be trained in evacuation procedures. The evacuation plan must be clear to all residents. (Ensuring familiarity may be accomplished by disseminating and posting a written plan to residents or, as done in Brooke County, by using large, brightly painted arrows to mark the exit path.)

1.D. Facility. Construction must be of fireproof materials. Furnishings shall have reasonable fire safety characteristics. Facility floors are to be kept dry and free of hazardous material.

STANDARD 2: SANITATION

2.A. Responsibility. Jail authorities shall maintain the facility in a condition that is clean, healthful and sanitary and which conforms to all applicable health laws and regulations. The County Commission shall keep the jail supplied with adequate janitorial services. (W. Va. Code §7-3-2)

2.B. Maintenance. Jail authorities shall develop and implement a plan for the maintenance of an acceptable level of cleanliness and sanitation throughout the jail. Such a plan shall provide for a regular schedule of housekeeping tasks and inspections which shall include, but not be limited to, the following:

1. The daily cleaning of toilets, sinks and showers;
2. The daily cleaning of floors;

3. The emptying and cleaning of receptacles provided for cigarettes and other refuse each day and provision for adequate trash removal;

4. The scrubbing and rinsing of living unit, washing of windows, cleaning of janitors closets, and dusting of bars, screens and ledges on a regular basis;

5. The contracting of extermination services to be performed with sufficient frequency and thoroughness to keep the jail free from insects and vermin;

6. The cleaning and sanitary maintenance of all kitchen areas and all equipment. (See Appendix B for the general categories of the state sanitation requirements.)

2.C. Water Supply. The water supply and plumbing fixtures shall meet all applicable codes and be maintained in operable and sanitary condition.

2.D. Resident's Responsibility. Residents shall be provided sufficient cleaning equipment to maintain their cells in a clean condition.

STANDARD 3: FOOD

3.A. Adequacy of Meals. Residents shall be provided an adequate diet. Servings shall be varied, shall include selections from all basic food groups, shall be of reasonable portion, and shall meet the nutritional requirements of residents. Three meals a day shall be served, two of which shall be hot. A county health official must inspect menus monthly and make recommendations regarding daily diet. (W. Va. Code, §7-8-2a) Many counties use extension agents. (See Appendix C for sample menu.)

3.B. Frequency of Meals. Three regular meal times shall be scheduled during each 24-hour period with no more than 13 hours between the evening meal and breakfast.

3.C. Records. A daily menu of food served shall be kept. Monthly records of the daily per capita cost of feeding residents shall also be kept. (W. Va. Code, §7-8-2a) Jail staff shall keep records of residents' refusals to eat and include such notations in resident's medical file.

3.D. Preparation. The County Commission may require the jailer to secure an agent for food service. The jailer may use the services of prisoners or, if the jailer is not the agent, the County Commission may employ persons to cook. Persons involved in preparation shall meet all applicable health laws and regulations.

3.E. Equipment. Food service facilities and equipment must meet all applicable health and safety standards set by the West Virginia Department of Health.

3.F. Special Diets. Special diets required by religious belief or by medical need shall be provided.

3.G. Restriction of Food. The quality or quantity of food offered shall never be restricted as a disciplinary response.

3.H. Location. Residents shall be provided with an eating area with table and chair, which shall not be in close proximity to commodes. Exceptions can be made only in extreme circumstances for significant acting out behavior for a short period of time.

Additional Standards for Juveniles

3.I. Service. Adult inmates may not serve food to juveniles.

STANDARD 4: VENTILATION AND NOISE

4.A. Ventilation. A well ventilated heating and cooling system shall provide fresh air and maintain an appropriate temperature. The facility must be maintained to avoid drafts due to inadequate physical structure.

4.B. Noise. Acoustics and maintenance shall insure that noise levels do not interfere with reasonable human activity.

STANDARD 5: LIGHTING

5.A. Natural Light. All cells and rooms in which residents are detained shall receive natural light.

5.B. Supplemental Light. Light fixtures shall have protective shatterproof covering. Night lighting shall strike a balance between supervisory and sleeping needs.

5.C. Illumination Levels. Lighting shall be sufficient for normal human activity in general use areas. Cells and other areas affording reading and writing use shall have light sufficient to those ends.

STANDARD 6: PHYSICAL PLANT

6.A. Compliance with Building Codes. All facilities shall comply with the regulations of national and state building codes. All building materials shall meet the specifications of the State Fire Marshal.

6.B. Living Quarters. Residents shall be housed in secure and separate apartments. W. Va. Code, §7-3-2.

6.C. Room Space. Residents shall be afforded living space to permit reasonable amount of normal human activity. (The United States Department of Justice, Jail Standards designate 60 square feet of living space per individual.)

6.D. Day Rooms. Area shall be provided to afford reasonable amount of movement and activity. (The U.S. Department of Justice, Jail Standards designate 25 square feet per inmate.) Day rooms must contain tables and chairs.

6.E. Recreation Space. Adequate recreation and exercise space shall be provided. Indoor space shall enable large muscle exercising to take place. Outdoor area should be constructed to insure privacy from and safety of the general public. (United States Department of Justice, Jail Standards designate that a minimum of 1500 square feet be used for outdoor area.)

6.F. Cells. Each cell must contain a standard size bunk with a flame retardant mattress and pillow, and access to a washstand with hot and cold water, and commode.

6.G. Commodities. Commodities must be positioned so as to provide maximum feasible privacy and access for residents.

Additional Standards for Juveniles

6.H. Sight and Sound Separation. Juveniles are not to be housed with adults. The separation requirement means that juveniles may not see or hear adult residents at any stage of the admission process. This includes entrance and exit to the facility, dining process, meal times, and all exercise programs.

STANDARD 7: PERSONAL HYGIENE

Items. The facility shall provide adequate supply of: soap, toothbrush, comb, feminine hygiene supplies, etc.

7.B. Linens and Bedding. Each resident who is to reside overnight shall be provided with the following:

1. One clean fire retardant mattress and pillow.

2. Two clean sheets, and a clean pillow case. Clean bed linen shall be furnished at least once a week to residents. Mattresses shall be cleaned regularly and as needed. Worn bedding and linen which are unfit for further use shall not be issued.

3. A clean towel at least three times per week.

4. Clean blankets in a number appropriate to the season.

Linens and bedding shall be removed from a resident's bed only under extreme circumstances. Such actions may be taken only as a measure to protect the inmate from self-injury, to protect other inmates or to protect facility furnishings. An action to remove linen or bedding shall be reviewed daily by the supervisor and the deprivation ended as soon as practical. A record shall be kept of all such actions taken.

7.C. Access to Water. Residents shall have continuous access to a washstand with hot and cold water.

II. RESIDENT'S RIGHTS

STANDARD 8: VISITATION

8.A. Right to Visitation. Visitation with family, friends, counsel, religious, and social service personnel is a constitutionally protected right. The need to provide security may influence the frequency and length of visitation but may not undermine reasonable visitation rights.

8.B. Frequency and Duration. Residents have the right to regular visitation of adequate duration. Visits shall not be limited to less than one-half hour unless necessary to assure equal access to present visitors.

The facility shall establish reasonable visiting hours including scheduled times at least four times weekly, including specified hours on weekends, holidays and evenings as well as daytime hours. Visitors whose schedules cannot accommodate the jail's visiting hours shall, upon request, be granted special hours unless denial is justified by institutional needs.

8.C. Posting. Jail authorities shall post visitation policy so that it is clear to the public and residents.

8.D. Limitations. Residents shall be able to receive any visitor not excluded by court order. Visit with counsel shall not be restricted nor shall a visitor's age preclude them from the jail. The maximum number of visitors a resident is permitted to be with at one time shall be determined by the facility, based solely on security needs particular to the circumstance.

8.E. Surveillance. Privacy shall be provided, though visual surveillance may be maintained.

8.F. Searches. Prisoners may be searched prior and subsequent to each visit upon reasonable belief that they possess contraband. Visitors may be subject to non-intrusive personal searches. Searches shall be done only pursuant to facility rules.

8.G. Place. Visits shall be in a private room or area set aside for the purpose of visitation. At a minimum, the rooms shall have sufficient seats. If the visitation room is not requested or impedes length of visitations, residents may opt for range visitation. Such visitation privilege shall be granted subject to reasonable security limitations.

8.H. Contact Visits. Visits should be contact visits unless (i) otherwise requested by a party; (ii) the resident's behavior is so extreme as to risk causing serious harm to a person, or (iii) the facility reasonably believes such visiting would create a specific risk to the safety or security of the institution. Denial of contact visits shall be recorded and explained in a resident's file.

8.I. Extended Visits. The facility shall specify conditions for extended visits between residents and their families.

Additional Standards for Juveniles

8.J. Frequency. Juveniles shall be permitted to receive visitors daily.

STANDARD 9: MAIL

9.A. Right to send and receive mail. The opportunity to send and receive letters and other materials through the mail is a constitutionally protected right which may be limited only by overriding security needs.

9.B. Outgoing Mail. Residents shall be permitted to communicate with persons of their choice, without limit, by outgoing mail. Outgoing mail may not be routinely opened, read, or censored.

7.B. Linen and Bedding. Each resident who is to reside overnight shall be provided with the following:

1. One clean fire retardant mattress and pillow.

2. Two clean sheets, and a clean pillow case.

Clean bed linen shall be furnished at least once a week to residents. Mattresses shall be cleaned regularly and as needed. Worn bedding and linen which are unfit for further use shall not be issued.

3. A clean towel at least three times per week.

4. Clean blankets in a number appropriate to the season.

Linen and bedding shall be removed from a resident's bed only under extreme circumstances. Such actions may be taken only as a measure to protect the inmate from self-injury, to protect other inmates or to protect facility furnishings. An action to remove linen or bedding shall be reviewed daily by the supervisor and the deprivation ended as soon as practical. A record shall be kept of all such actions taken.

7.C. Access to Water. Residents shall have continuous access to a washstand with hot and cold water.

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8.B. Frequency and Duration. Residents have the right to regular visitation of adequate duration. Visits shall not be limited to less than one-half hour unless necessary to assure equal access to present visitors.

The facility shall establish reasonable visiting hours including scheduled times at least four times weekly, including specified hours on weekends, holidays and evenings as well as daytime hours. Visitors whose schedules cannot accommodate the jail's visiting hours shall, upon request, be granted special hours unless denial is justified by institutional needs.

8.C. Posting. Jail authorities shall post visitation policy so that it is clear to the public and residents.

8.D. Limitations. Residents shall be able to receive any visitor not excluded by court order. Visit with counsel shall not be restricted nor shall a visitor's age preclude them from the jail. The maximum number of visitors a resident is permitted to be with at one time shall be determined by the facility, based solely on security needs particular to the circumstance.

8.E. Surveillance. Privacy shall be provided, though visual surveillance may be maintained.

8.F. Searches. Prisoners may be searched prior and subsequent to each visit upon reasonable belief that they possess contraband. Visitors may be subject to non-intrusive personal searches. Searches shall be done only pursuant to facility rules.

8.G. Place. Visits shall be in a private room or area set aside for the purpose of visitation. At a minimum, the rooms shall have sufficient seats. If the visitation room is not requested or impedes length of visitations, residents may opt for range visitation. Such visitation privilege shall be granted subject to reasonable security limitations.

8.H. Contact Visits. Visits should be contact visits unless (i) otherwise requested by a party; (ii) the resident's behavior is so extreme as to risk causing serious harm to a person, or (iii) the facility reasonably believes such visiting would create a specific risk to the safety or security of the institution. Denial of contact visits shall be recorded and explained in a resident's file.

8.I. Extended Visits. The facility shall specify conditions for extended visits between residents and their families.

Additional Standards for Juveniles

8.J. Frequency. Juveniles shall be permitted to receive visitors daily.

STANDARD 9: MAIL

9.A. Right to send and receive mail. The opportunity to send and receive letters and other materials through the mail is a constitutionally protected right which may be limited only by overriding security needs.

9.B. Outgoing Mail. Residents shall be permitted to communicate with persons of their choice, without limit, by outgoing mail. Outgoing mail may not be routinely opened, read, or censored.

9.C. Incoming Mail. Incoming mail may be opened, in the presence of the resident, to inspect for contraband. Such mail shall not be routinely read but may be inspected based upon specific security justification related to a particular individual.

9.D. Censorship and grievances. Residents shall be notified in writing when mail written by or addressed to them is either rejected or material is removed from the letter together with the reasons therefore. The inmate and the writer shall be provided an opportunity to utilize the grievance procedure.

9.E. Delivery. Outgoing mail shall be sent out daily; incoming mail shall be delivered on the day of receipt. All incoming packages may be subject to search for contraband. The jail may exclude certain items when justified for security reasons.

9.F. Provision of writing materials. Indigent residents shall be afforded without cost sufficient stationary and postage for all letters to attorneys, courts and public officials, as well as two personal letters per week. Each facility shall make available to all nonindigent residents stationary and postage for purchase by residents.

Additional Standards for Juveniles

9.G. A child shall have constant access to writing materials and may send mail without limitation, censorship or prior reading, and may receive mail without prior reading, except that mail may be opened in the child's presence, without being read, to inspect for contraband.

STANDARD 10: TELEPHONE

10.A. Right to Communication. Residents shall be afforded their right to reasonable phone access. (Many counties have provided this right with the least staff inconvenience through the provision of phone jacks or pay phones on the cell block areas.) The facility should prescribe written rules governing the use of phones by residents.

10.B. Reasonable Access. Upon admission, a resident shall be afforded access to the telephone for legal and personal use. Thereafter, residents shall be afforded telephone access on a regular basis, at specified times, unless a phone for continual use is maintained in the cell block area. The facility shall maintain a daily schedule for phone use.

10.C. Payment. Unless phone access is provided by pay phones in the cell blocks, local phone calls and those on the minimum toll area shall be free. Indigent residents shall be allowed free telephone calls to their attorneys-of-record and courts in which their current litigation is pending.

10.D. Privacy. Phone calls shall not be monitored unless so authorized by prior court order.

10.E. Incoming calls. The resident shall be allowed to receive incoming calls or a message shall be taken and the resident allowed to return the call within reasonable time. Emergency calls from family and calls from counsel shall be processed without delay.

10.F. Limitations of Phone Use. Limitations of phone use shall not be used as a disciplinary measure, except for violations of written jail regulations relating to telephone use. Any limitation of phone use shall be explained to the resident and recorded by the facility. Calls to secure or confer with an attorney may not be limited unless requested by the attorney.

10.G. Notice. Residents shall be informed of the jail's phone policy during the intake process.

Additional Standards for Juveniles

10.H. Written Policy. Juveniles must receive written notice of their rights to phone access. This policy must also be communicated to parents or guardian of the juvenile at the time of the juvenile's incarceration.

10.I. Frequency. Juveniles may make and receive local calls although jail authorities may reasonably limit calls between the hours of 11 p.m. and 7 a.m. Juveniles have the right to make at least one long distance call per week free of charge to their family.

STANDARD 11: MEDICAL SERVICES

11.A. Right to Medical Care. Every resident has a right to receive medical, dental, and psychiatric care to be provided in a reasonable manner by licensed personnel. Such care includes drug and alcohol treatment and gynecological services. Dental care shall be available for emergency needs.

11.B. Receiving Screening. Upon admittance or as soon thereafter as practical, a health screening shall be performed and recorded on proper forms to be placed in the resident's file. Admittance screening should be done by trained personnel where available (EMT training is encouraged). Screening includes:

1. Inquiry into current health problems and allergies;
2. Inquiry into current medication and special health needs;
3. Inquiry into the use of alcohol and other drugs and any history of problems that occur after ceasing use;

4. Recording of unique behavioral observations or physical characteristics, including state of consciousness, sweating, conduct, notation of body markings and skin conditions, etc;

5. Any necessary testing for communicable diseases;

6. Persons suspected of having a communicable disease should be isolated and immediate arrangements should be made for their transfer to an appropriate facility. Persons who are unconscious, injured or show signs of physical or mental distress, should be examined by health personnel.

11.C. Written Medical Services Plan. Written procedures shall be established for the following areas:

1. receiving screening;
2. segregation procedures for contagious residents;
3. sick call procedures and methods by which inmates' complaints are processed;
4. medication distribution;
5. emergency and first aid procedures;
6. screening, care and referral of mentally ill, retarded and drug dependent inmates;
7. maintenance of health care records;
8. notification of next of kin in case of serious illness or injury;
9. designation of a health authority;
10. transportation of residents to a medical or mental health facility.

11.D. Sick Call. (1) There shall be daily opportunity to register medical requests. At no time, except under a medical person's supervision or in a situation requiring first aid care, shall a correctional officer who is not a licensed health practitioner, diagnose ailments, screen complaints, prescribe medication or administer medical care. (See Appendix D for sample sick call complaint.)

11.E. Emergency Procedures. Arrangements for emergency service shall be made to assure coverage for emergencies. There shall be a physician on call at all time and health personnel provided to the jail when possible. Emergency services shall be provided whenever a resident indicates serious chest pains, exhibits continual vomiting, diarrhea, or blood in body secretions, or when other situations warrant immediate attention.

11.F. First Aid Management. Jail staff on each shift shall have adequate first aid training to provide intermittent care in an emergency. Facilities shall maintain first aid equipment. Ill or injured residents shall receive maximum observation and medical care.

11.G. Mental Health. The jail shall provide access to treatment for those in need of mental health or substance abuse treatment. Jailers shall arrange with local community mental health agencies for the provision of services on a regular basis. In the event that regular treatment is necessary and unavailable, the jailer or person responsible shall arrange for transfer to other appropriate facilities.

11.H. Mentally Ill, Retarded or Addicted Residents.

1. Care: Care must be provided for residents who are believed to be mentally ill, retarded or addicted and in need of treatment, training or other services. The sheriff or jailer must be made aware of the illness and must arrange for a mental health assessment. If the report of the examination confirms the condition and that required services cannot be provided at the facility, the sheriff must immediately take appropriate action. (Charged with crime - W. Va. Code §27-6A-1; convicted - W. Va. Code §28-9-3.)

2. Illegal Incarcerations: Under no circumstances may a facility house persons solely on account of the initiation of proceedings for involuntary commitment. W. Va. Code, §27-5-1 et.seq.

11.I. Medication. Jail authorities shall keep medications in secure storage. Prescription drugs shall be dispensed only upon a doctor's orders and a log shall be kept of all medications administered. All medication must be administered and taken in the presence of jail staff. (See Appendix E for sample log.)

11.J. Records. Jail authorities shall maintain resident's medical records. Such records shall include admission history and physical examination forms, results of all tests, reports of general medical conditions noted by staff, all physician's orders, reports of all medication or special diets administered, and all sick call complaints.

11.K. Consent to Treatment. Informed consent of residents is necessary for all medical procedures for which consent is required by law.

11.L. Serious Accident or Death. In the event of serious accident or death the facility shall immediately notify the resident's family or closest relative, the county commission, a medical examiner or appropriate authority.

Additional Standards for Juveniles

11.M. Supervision of Medical Programs. Juveniles must receive physical and mental health examinations pursuant to W. Va. Code, §49-5-4. This should be done within the initial 48 hours of confinement.

11.N. Medical Appendix. Operating health care procedures (Appendix F, Reserved.)

STANDARD 12: RECREATION AND ACTIVITY

12.A. Right to Exercise and Recreation. A jail shall provide an opportunity for daily physical exercise and recreation. There shall be a written schedule providing for at least one hour of physical exercise and recreation each day.

12.B. Recreation Area. Jail authorities shall create and maintain both indoor and outdoor exercise areas. Indoor space shall enable large muscle exercising to take place. Outdoor area should be constructed to ensure privacy from and safety of the general public in all facilities other than short term or emergency holdover facilities. It is recognized that a number of facilities presently do not have access to an outdoor exercise area. Efforts should be made to assure that this space will be provided.

12.C. Equipment. Sufficient exercise and recreational materials shall be maintained.

STANDARD 13: PERSONAL EXPRESSION,
COMMUNICATIONS, AND RELIGION

13.A. Appearance. Appearance may not be inhibited unless it presents a clear health, safety, or security hazard. Clothing shall be provided to any inmate without adequate clothing. (W. Va. Code, §7-8-7.)

13.B. Communications.

1. Public access. Facilities shall provide reasonable access to the public and to the media.

2. Resident access. Facilities shall ensure the right of residents to communicate or correspond with any persons or organizations unless otherwise ordered by the court.

13.C. Religious Observance. Residents have a right to a reasonable opportunity to practice their religion. Jail authorities shall facilitate religious observance by residents to the maximum extent feasible:

1. Visitation. Visits by spiritual advisors shall be permitted at any reasonable time.

2. Service. Authorities shall afford inmates reasonable opportunities to attend religious services in the jail and shall extend such opportunities to all religions represented in the jail population.

3. Personal Property. Residents shall be permitted to retain religious books and objects of a religious nature subject to reasonable security limitations.

Additional Standards for Juveniles

13.D. Juveniles shall be permitted to wear their own clothing and shall be provided adequate individualized clothing if not available to them.

STANDARD 14: PERSONAL PROPERTY

14.A. Residents use. Residents shall be permitted to retain personal items unless jail authorities specifically find they endanger the resident's safety or jail security. Newspapers, books, magazines, table games, radios, personal hygiene items, pictures and photographs shall generally be allowed.

14.B. Facility retention. There shall be itemized inventory and secure storage of all personal property not retained by residents. Residents shall receive a receipt for all property held by the facility (or sent to the resident's address) and shall sign for the return of their property upon release. Residents shall be informed of these policies during the intake process. (See Appendix G for sample form.)

STANDARD 15: READING MATERIAL AND
ACCESS TO LEGAL INFORMATION

15.A. Reading Material. Facilities shall make available books, magazines, and newspapers. These materials shall be available on a daily basis. (Some facilities make arrangements for service with local libraries.) Authorities may not censor reading material from the library.

15.B. Legal Assistance. Access to courts requires availability of law libraries or legal assistance for civil and criminal matters. The scope and depth of the legal materials maintained at the facility may relate to population but should generally include:

1. a law dictionary;
2. a simple book on criminal procedure;
3. a simple treatise on evidence;

4. a simple treatise on criminal law;
5. the West Virginia Lawyer Referral Service phone number (348-2880);
6. availability of the W. Va. Code; and
7. access to specific reporters upon request.

Access may be through facility ownership or arrangements with local libraries or law offices.

STANDARD 16: VOCATIONAL AND EDUCATIONAL PROGRAMS

16.A. Residents Rights. Court mandates require that jail conditions not make rehabilitation difficult or impossible to achieve. Facilities shall encourage vocational education and counseling programs available to residents who desire to take part in them. Both pre-release and work release programs shall be encouraged.

16.B. Release for Work and Other Purposes. The jail shall set up a procedure for the implementation of work release pursuant to W. Va. Code, §62-11A-1 and 2. The law provides that an inmate may request and the court may order release plans for purposes of work, seeking employment, conducting home or family business, attending school, obtaining medical treatment. Inmates shall be informed of their right to apply to the Circuit Court for work release upon admission and provided an application therefore. (See Appendix H for sample application form.)

16.C. Education. The jail shall make arrangements for attendance at or provision of a G.E.D. diploma program or other academic instruction for long term residents. Only residents who pose demonstrated security problems may be excluded from educational opportunities.

16.D. Vocational Programs. Every jail should make arrangements for access to available vocational training for inmates determined by jail administrators to be eligible based on length of stay, behavior, or security classification.

16.E. Work within the County. Any person over the age of 16, may consent to perform labor within the jail or county. The residents consent to work must be acknowledged in writing W.Va. Code, §17-15-4. The sheriff may assign work under humane conditions or the county commission, with the approval of the sheriff, may employ any person convicted of a misdemeanor to work within the county. Inmates shall be paid no less than one dollar per hour. W. Va. Code, §62-11A-2. A person charged with a misdemeanor who is unable to furnish a recognizance or bail bond may request that the court permit them employment pursuant to W. Va. Code, §17-15-7.

Additional Standards for Juveniles

16.F. Educational Services. Educational personnel shall be consulted to provide programs for youth detained in excess of one week. Services shall be generally equivalent to services provided by the county school board.

16. G. Special Education. Youth who are referred by parent, counselor or otherwise indicate special educational needs shall be referred to the school board for appropriate testing, development and implementation of the child's educational plan pursuant to federal law. 20 U.S.C. 1401 et seq. and implementing regulations. If the facility determines that the child has previously been evaluated, results of the evaluation shall be obtained and the instructional plan followed.

16.H. Reading Materials. Books appropriate to juvenile interests shall be provided to all juveniles.

JAIL ADMINISTRATION

STANDARD 17: INMATE RULES AND DISCIPLINE

17.A. Resident Rules of Conduct. Written rules of conduct shall specify, with reasonable precision, acts prohibited within the facility, and the type of penalties which may be imposed. (See Appendix I for Sample Rules and Regulations.) The rules must inform residents of their right to good time credit for compliance with jail rules or donating blood pursuant to W. Va. Code, §7-8-11. Procedures for discipline shall be posted and residents shall be informed of them. Policies should include methods of achieving privileges by good behavior.

17.B. Punishment of Resident Misconduct. Punishment must conform to written rules and be reasonably related to the nature of the offense. There must be a time limit set on every punishment.

17.C. Disciplinary Procedure. Notice of disciplinary actions shall be given to residents. (See Appendix J for Sample Form to Inmate of Disciplinary Action.)

1. Misbehavior will be promptly reported and dealt with. If a penalty is contemplated, a misconduct report will be promptly provided to the individual specifying the rule violated, the facts surrounding the same, and proposed penalty.

2. Minor Misconduct: The jailer in charge may impose a minor penalty i.e. recorded reprimand, loss of privilege(s) for up to 7 days or trusty status for up to 7 days. A misconduct report will be completed by the officer in charge. The resident will be advised that s/he may appeal the decision to the Sheriff or an impartial designate of the Sheriff, with an opportunity afforded to present the inmate's position.

3. Major Misconduct. All misbehavior which involves a penalty of more than a recorded reprimand or loss of either a privilege or trusty status for more than seven days, shall be imposed only after the resident has had an opportunity to be heard. The opportunity to be heard shall be within 3 days of the infraction following the procedure specified. The inmate may be placed in pre-hearing detention only if the officer considers the resident's behavior to be dangerous to persons or property but for a period of not more than two days, until s/he is afforded a hearing. Prior to the hearing, the inmate shall receive the misconduct report.

Penalties: Penalties can include cell restriction or segregation, loss or restriction of good conduct time, loss or restriction of work or other release rights or loss of privilege(s) or trusty status for more than 7 days.

4. Opportunity to be heard. (a) The Sheriff shall designate an impartial person or panel to conduct informal hearings. (b) In such hearings each side shall be afforded the opportunity to be present, and offer testimony from themselves and from voluntary witnesses. The offender will be expected to present his/ her version of the alleged offense and admit or deny the truth of the charges. The orderly cross-examination of witnesses will be permitted. However, repetitive or irrelevant testimony may be limited. A written finding will be made and furnished to the resident when major misconduct penalty is imposed. The findings shall include reasons for the decision (based on credible evidence), and the specific disciplinary action to be taken, including time limits on punishment. (c) The inmate can appeal to the Sheriff for review of all decisions. (d) The Sheriff can decrease but not increase the punishment.

17.D. Proscribed Punishments. Penalties of residents for infringement of jail rules may not include:

1. punishment designed to cause contempt, ridicule, or physical pain;
2. arduous physical labor or rules of silence;
3. use of physical restraints;
4. denial of amenities (showers, toilet facilities, bedding);
5. alterations of diet;
6. isolation (except for all restrictions for major infractions);
7. alteration of the regular sleeping pattern;
8. use of chemicals or medications;
9. group punishments for individual actions;

10. limitations of constitutional rights (i.e. mail, visitation, telephone, exercise) except as such limits are necessary and related to past abuse of such rights. Any such limitation must be approved by the facility supervisor.

11. Any punishment which may be considered cruel and unusual.

STANDARD 18: SECURITY, STAFF CONDUCT AND GRIEVANCES

18.A. Security Plans. The facility shall have prescribed procedures for security and control to include the following:

1. There shall be 24 hour supervision by an adequately trained staff of sufficient number. On site checks every 30 minutes must be made by staff to all areas where residents are incarcerated to ensure the custody, safety and welfare of those confined. No resident shall be confined on a floor of the jail without staff supervision.

2. Emergency procedures including reactions to fire and riot conditions.

3. Control of the use of weapons, including that no weapons shall be carried by jail personnel while in incarceration areas.

4. Procedures for personal and administrative searches of the facility. Search policies shall ensure that unnecessary force or indignity to the individual is avoided. Personal searches shall only be made when there is reasonable suspicion of contraband.

5. Use of physical restraints in controlling residents inside the facility may be used only for the protection of the individual or others. The use of restraints shall be recorded in the residents file. Any time a resident remains out of control for more than a short amount of time mental health personnel shall be consulted.

6. Use of physical force including that such force may only be used to the extent necessary to prevent escape, to regain control pending facility unrest or riot, to confine or isolate a resident pursuant to facility rules, and in situations consistent with the law applicable to law enforcement personnel.

7. Appropriate safeguarding of facility tools and keys so as to provide access to staff but not to residents.

8. Chemical agents shall never be used as a means of punishment. They shall be used only as long as necessary to enable staff to obtain control. No staff shall regularly carry chemical agents upon their person. Such chemicals shall be kept in locked storage areas accessible only by order of the supervisor or designate.

9. Written record shall be kept of all uses of physical force, chemical drugs or agents, physical restraints, room confinement or isolation and passive restraints. Such records shall include the persons involved and those under whose authority such measures were taken.

18.B. Isolation. Except by the choice of the inmate, isolation may be used only in circumstances where a resident presents a danger to self or others (as evidenced by continued physical aggression or threats) and other measures have failed to control the behavior. Physical living conditions in isolation units must be approximately equivalent to those afforded the general population: Exception can be made only when it can be shown that a specific change recorded in the inmate's record is necessary to protect the life, safety, or health of the resident. The following procedures apply:

1. When residents are placed in isolation as a result of being a danger to themselves, a qualified mental health professional must be called immediately;

2. Residents placed in isolation as a result of being out of control shall be released immediately upon gaining self-control;

3. For a resident to be kept in isolation for longer than 24 hours, a physician or qualified mental health professional must determine upon evaluation that the resident is a threat to self or others. Transfers to a hospital or state institution may be appropriate;

4. Isolation shall be reviewed as soon as possible by the facility supervisor in no event later than six hours after its initiation;

5. A monitoring procedure shall be used to observe residents in isolation. Such procedures should include regular observations and a hourly recording. Recording shall include information on name, date and hour admitted, type of infraction or reason for isolation, release time and any physical or mental problems or needs. All visits by health personnel shall also be recorded.

18.C. Staff Guidelines. There shall be written staff guidelines for facility operations and staff conduct. Such guidelines should specify prohibited acts and penalties that may be imposed for such violations. A staff person charged with serious maltreatment of a resident shall not work directly with that resident until the investigation is completed. All disciplinary complaints and action taken against staff should be recorded in their personnel files.

18.D. Grievance Procedure. The jail shall have a written grievance procedure explained and available to all residents and staff. A resident may file a grievance on any condition or practice in the jail, or incident in the jail involving jail personnel. The grievance procedure shall include provision for an investigation of the grievance and for a written response within a prescribed and reasonable time limit, not to exceed two working days (except in emergency conditions

which warrant immediate response. The response shall be in writing for the response to the grievance. If the grievance is found to be in bad faith, the complainant shall have an opportunity to be heard before a decision on the complaint. (See Appendix K for Sample Grievance Form.)

Additional Standards for Juveniles

18.E. Adequate Supervision. Jails shall prescribe a procedure for the continuous monitoring of juveniles by staff trained, at least in the recognition of and reaction to suicidal gestures. A log shall be kept by staff which records significant events or observations of juvenile behavior.

18.F. Isolation. A decision to place a juvenile in an isolation cell shall be reviewed as soon as possible by the facility supervisor in no event later than 3 hours after its initiation. A log shall be kept by staff which records observations every 15 minutes. Retention of a juvenile in an isolation cell for more than 6 hours may be done only upon the written recommendation of a doctor or mental health professional.

STANDARD 19: CLASSIFICATION

19.A. Limited Applicability. Facilities with an average population of 20 or over shall design a system of classification to group residents. The classification system shall help determine resident's access to programs, privileges, work, furloughs, contact visits, housing and other activity.

19.B. Procedures. Classification shall take into account credible, relevant information about the resident.

19.C. Standards and Review. Classification criteria shall consider any history of escape or violence, resident desires and performance in the facility, whether a resident is a pre-trial detainee or convicted inmate, whether the charged offense was violent, a first offense or repeat, consideration of any special court order or medical problems (i.e. drug abuse, mental illness, suicide risk) sex, age or other criteria deemed necessary for safety of detainee and security of the facility. There shall be periodic opportunities for residents to have their status reviewed.

STANDARD 20: ORIENTATION

20.A. Orientation. An orientation shall occur upon an individual's admittance or as soon thereafter as practical to provide necessary information to the facility and to the resident.

20.B. Content. The orientation process shall include:

1. The receiving officer shall determine that each person is being committed by a duly authorized officer.

2. An individual file on each person should be established and contain a copy of all documents that give authority for the person's commitment, health information, and minimum identification data.

3. Persons shall be searched for contraband.

4. Property retained by the facility shall be recorded and a receipt signed by the jailer and the inmate shall be given the receipt.

5. Medical inquiry (see section 11.B).

6. Notice that a resident may notify family or lawyer of admission.

7. Written notice of rules including disciplinary, security, grievance, phone, mail, visitation, release, exercise, and classification policies;

8. Issuance of hygiene items and clean clothing as needed.

Additional Standards for Juveniles

20.C. Legal Determination. Jail authorities must immediately provide to the circuit judge notice of any juveniles not committed upon court order. Without such order the juvenile may not be detained.

20.D. Legal Commitments. West Virginia law provides that juveniles may only be committed to county jails if:

1. Violent Felons. They are 14 years of age or older and have been charged with the commission of a violent felony, and there is an order from the Circuit Court directing such custody.

2. Awaiting Transportation:

a) They are 14 years of age or older and are waiting transportation to an industrial home or correctional institution. Said commitment may not exceed 96 hours. §49-5-16(a);

b) §28-1-4 provides that "...no youth committed to any facility shall be lodged in the jail or lockup, if he be under the age of 16 years.";

c) §28-3-6 prohibits housing a female committed to an industrial home in any jail or lockup.

3. Awaiting Tests or Test Results. W. Va. Code, §28-1-2(b) provides that no child may be placed in jail following the dispositional

proceeding solely to await a physical, educational and/or mental examination or the results thereof. Instead such tests must be administered in the child's home county prior to disposition or by the Department of Corrections upon assuming custody of the child.

20.E. Written Notices. Juveniles shall be provided with written notice of rights set forth in W. Va. Code §49-5-8(c) and §49-5-16a.
(See Appendix L for Sample Juvenile Rights Form.)

STANDARD 21: PERSONNEL

21.A. Written Procedures. The jail shall develop personnel policies to include job duties and employee records.

21.B. Sufficient Staff. The jail must be sufficiently staffed to provide for 24 hour supervision of all areas in which residents reside.

1. If the facility has more than one floor of detention, one jail officer is required for each additional floor unless the floors are monitored by visual electronic equipment or visual observations are made every 30 minutes.

2. Supervision shall be provided by a person of the same sex when procedures require physical contact, examination, or monitoring of personal hygiene activities such as showers. 1/

3. With approval of the county commission, the sheriff may employ a sufficient number of persons to guard residents on work assignments pursuant to W. Va. Code §17-15-3 and §17-15-4. The wages of such guards shall be reasonable W. Va. Code, §17-15-5.

4. When ordered by the Court or when in his/her opinion it is necessary for the safekeeping of a prisoner, the jailer shall summon sufficient guard pursuant to W. Va. Code, §7-8-7.

21.C. Recruitment. Recruitment procedures shall follow civil service guidelines where applicable (counties of more than 25,000 persons see Article 14, Chapter 7, W. Va. Code) and otherwise include:

a. written job qualifications, descriptions and sufficient public advertisement;

b. psychological screening should be done for persons working directly with the jail inmates;

1/Some counties have trained female personnel available on call as their jails do not require a full-time staff of female jail officers. Other counties transfer women residents to counties with adequate facilities for women (staff and privacy). Transfer policies shall not create an unreasonable burden for resident visitation, access to courts, or community release opportunities.

c. provision for employment opportunities for women and minorities (in counties with substantial minority population);

21.D. Training. New employees who work directly with inmates, shall have orientation to include familiarity with facility rules and regulations including security, disciplinary, emergency, grievance, orientation and medical procedures. Employees who work directly with inmates should receive training in such areas as first aid, crisis intervention, recognition of suicidal tendencies, drug dependencies, mental illness or retardation and passive restraint.

Additional Standards for Juveniles

21.E. Training. Staff who work directly with juveniles should receive training specific to that work.

STANDARD 22: JAIL MANAGEMENT AND RECORDS

22.A. Management. The sheriff must maintain adequate administrative records. Such records could include:

1. purchasing and serving food pursuant to W. Va. Code, §7-8-2a;
2. payroll and personnel;
3. administrative expenses;
4. resident records to include name, address, charge and length of stay, reason for discharge and medical file (such records must be safeguarded against unauthorized disclosure);
5. grievance and disciplinary actions;
6. recording of work release residents pursuant to W. Va. Code, §17-5-5;
7. agreements with local facilities or personnel for provision of services;

APPENDIX A: SAMPLE SAFETY CHECK LIST

FIRE SAFETY BULLETIN ON PENAL INSTITUTIONS



A recent study conducted by the NFPA showed that 85 per cent of the fires in penal institutions were incendiary in nature. Most of these fires were started by the use of smoking materials, such as matches, cigarette lighters, cigarettes, etc. Of the fires studied, 73 per cent involved the ignition of clothing, mattresses, bed clothes, and padded wall coverings. Most of the prison fires indicated that although correctional officers have acted promptly and with the best intentions, in many cases at great personal risk, often their responses show that they have not been properly trained to respond to a fire. Delayed discovery or lack of automatic extinguishing equipment was shown to be a factor in almost every incident studied.

The following check list has been developed to assist you, the correctional official, to evaluate the level of life safety in your facility. Ask yourself each of the following questions and check the appropriate block.

LIFE SAFETY CHECK LIST

A "NO" or "DON'T KNOW" answer to any of the following questions indicates an area that requires your attention since it points out a deficiency which may affect life safety in your institution. If you have any questions concerning this check list or deficiencies pointed out by the use of the check list, contact your local fire marshal, fire department, or state fire marshal for assistance.

Means of Egress (See NFPA No. 101, Life Safety Code)

- | YES | NO | DON'T KNOW | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Are there two remote paths of exit travel from each cell block or area? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Are reliable means provided to permit the prompt release of inmates from locked areas? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Is prompt release of inmates guaranteed by adequate correctional personnel continuously on duty with keys readily available? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Is more than one set of keys readily available in case of loss or breakage during a fire emergency? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Is travel distance to exits within the limits specified by the Life Safety Code? |

Examples of Maximum Travel Distances

Area	Nonsprinklered	Sprinklered
Cell Block/Dormitory	100 feet	150 feet
Work Area	100 feet	150 feet
High Hazard Areas	75 feet	75 feet
Dining, Recreation Areas	150 feet	200 feet
Infirmary-Hospital	100 feet	150 feet
Office Areas	200 feet	300 feet

- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Are proper exits provided? |
|--------------------------|--------------------------|--------------------------|-------------------------------|

APPENDIX A: SAMPLE SAFETY CHECK LIST (CON'T. 2)

YES	NO	DON'T KNOW
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Is the capacity of the exits adequate?
8. Are the exitways continuously illuminated?
9. Is emergency lighting provided?
10. Are the exits and paths to them clearly marked?
11. Are exits kept clear and maintained in usable condition?

Protection Features

YES	NO	DON'T KNOW
-----	----	------------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Are vertical openings (e.g. stairs, elevators, dumbwaiters, and shafts) enclosed to prevent the spread of smoke, heat, and fire?
2. Are hazardous areas (e.g. boiler room, laundries, kitchens, storage rooms, paint shops, and trash rooms) protected by proper enclosure or automatic extinguishing equipment to prevent the spread of fire?

Interior Finish

Check, if any of the following are used as interior finish in your facility.

- () Plywood
- () Paneling (wood, plastic, or laminate)
- () Foamed Plastics
- () Fiberboard

YES	NO	DON'T KNOW
-----	----	------------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. If any of the above materials are in use, do you know what the fire performance of these materials are? (i.e. flame spread and smoke developed indexes)
2. Has any action been taken to alleviate the hazard created by materials which have been shown to have poor fire performance?

APPENDIX A: SAMPLE SAFETY CHECK LIST (CON'T. 3)

Furnishings and Contents

YES	NO	DON'T KNOW
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Are the furnishings in use noncombustible?

Check, if any of the following are used in your facility.

- () Furnishings padded with foamed plastics or foamed rubber.
- () Foamed plastic or foamed rubber padding on walls, ceilings or floor.
- () Mattresses constructed, in whole or in part, of foamed plastics or foamed rubber.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. If any of the above furnishings are used, do you know the fire performance of the materials?
3. Has any action been taken to alleviate the hazard created by materials which have been shown to have poor fire performance?

Fire Detection and Extinguishing Equipment

YES	NO	DON'T KNOW
-----	----	------------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Are portable fire extinguishers of the proper type and number provided?
2. Is your facility protected by a complete heat detection or smoke detection system?
3. Is your facility protected by a complete automatic sprinkler system?
4. Are detection and/or sprinkler systems tested on a regular basis?
5. Is the fire detection and/or sprinkler system alarm connected directly to the local fire department?
6. Are fire hose stations for use by correctional officers provided and readily accessible?
7. Have all personnel been trained in the proper use of all fire protection and fire extinguishing equipment?

APPENDIX C: SAMPLE NUTRITIONAL SCHEDULE
 Prepared by State Department of Health, Office of Community
 Health Services, Nutrition Services. October 1, 1981

NUTRITIOUS, ECONOMICAL MEALS - WEEK 1

	Breakfast	Lunch	Dinner
Sun.	Applesauce Oatmeal with Milk Toast - Jelly - Margarine Milk Coffee or Tea	Baked Chicken & Dressing Stewed Tomatoes Cole Slaw Pumpkin Pie Milk Coffee or Tea	Oven Toasted Cheese Sandwich Carrot Sticks Purple Plums Milk Coffee or Tea
Mon.	Tomato Juice Bacon Biscuits - Gravy Milk Coffee or Tea	Scalloped Corn with Bologna Cubes Waldorf (Apple) Salad Bread - Margarine Milk Coffee or Tea	Fish Sticks Baked Potato Broccoli Bread - Margarine Milk Coffee or Tea
Tues.	Orange Juice Corn Flakes with Milk Muffins - Margarine Milk Coffee or Tea	Spaghetti with Meat Sauce Tossed Salad French Bread - Margarine Carrot Cake Milk Coffee or Tea	Sauerkraut with Weine Parsley Buttered Pota Bread - Margarine Oatmeal Raisin Cookie Milk Coffee or Tea
Wed.	Prunes Pancakes with Syrup Milk Coffee or Tea	Potato Soup Peanut Butter Sandwich Sliced Peaches Milk Coffee or Tea	Beef Stew Celery Sticks Corn Bread - Margarin Lemon Pudding Milk Coffee or Tea
Thurs.	Grapefruit Juice Sausage Patty Cinnamon Toast Milk Coffee or Tea	Brown Beans Raw Onion Slices Cornbread Apple Crisp Milk Coffee or Tea	Barb-Q-Burgers Green Beans Carrots, celery, pepp Cherry Jello & Banana Milk Coffee or Tea
Fri.	Pineapple Juice (Vitamin C enriched) Cream of Wheat with Brown Sugar & Milk Milk Coffee or Tea	Tuna Noodle Casserole Kale Bread - Margarine Cherry Pie Milk Coffee or Tea	Pork Liver with Tomat Sauce Mashed Potatoes Mixed Vegetables Bread - Margarine Sliced Pineapple Milk Coffee or Tea
Sat.	Banana Scrambled Eggs Toast - Margarine Milk Coffee or Tea	Vegetable Soup Pimento Cheese Sandwich Mixed Fruit Cup Milk Coffee or Tea	Hot Dog on Bun Cole Slaw Chocolate Brownies Milk Coffee or Tea

APPENDIX C: SAMPLE NUTRITIONAL SCHEDULE (CON'T)

NUTRITIOUS, ECONOMICAL MEALS - WEEK 2

	Breakfast	Lunch	Dinner
Sun.	Orange French Toast with Syrup Milk Coffee or Tea	Meat Loaf Buttered Corn Harvard Beets Bread - Margarine Milk Coffee or Tea	Pizza Peach & Cottage Cheese Salad Peanut Butter Cookie Bread - Margarine Milk Coffee or Tea
Mon.	Apple Juice (Vitamin C enriched) Oatmeal with Milk Muffin - Margarine Milk Coffee or Tea	Submarine Sandwich Potato Chips Fruit Jello Milk Coffee or Tea	Creamed Chicken & Peas on Hot Biscuit Boiled Cabbage Wedge Applesauce Cake Milk Coffee or Tea
Tues.	Prunes Shredded Wheat with Milk Coffee Cake Milk Coffee or Tea	Navy Beans Cole Slaw with Grated Carrots Cornbread Orange & Banana Slices Milk Coffee or Tea	Spanish Rice Buttered Spinach Carrot Sticks Brownies Milk Coffee or Tea
Wed.	Tomato Juice Cream of Wheat with Milk Cinnamon Toast Milk Coffee or Tea	Scalloped Potatoes with Cheese Broccoli Bread - Margarine Graham Cracker with Peanut Butter Milk Coffee or Tea	Baked Pork Chops with Dressing Green Beans Tossed Salad Pear Milk Coffee or Tea
Thurs.	Orange Juice Corn Flakes with Milk Toast - Jelly Milk Coffee or Tea	Assorted Cold Cuts Pickles - Celery Sticks Pickled Beet Slices Rice Pudding Milk Coffee or Tea	Fish Cakes Creamed Carrots Bread - Margarine Apple Crisp Milk Coffee or Tea
Fri.	Grapefruit Juice Bacon Biscuits - Gravy Milk Coffee or Tea	Chili Crackers Tossed Salad Apricots Milk Coffee or Tea	Ham Loaf Buttered Steamed Cabbage Buttered Mixed Vegetab Bread - Margarine Cherry Cobbler Milk Coffee or Tea
Sat.	Applesauce Scrambled Eggs Sausage Patty Toast - Margarine Milk Coffee or Tea	Macaroni Salad with Egg & Cheese Cubes Buttered Green Peas Bread - Margarine Milk Coffee or Tea	Sweet Potato & Luncheon Meat Casserole Perfection Salad Bread - Margarine Gingerbread Milk Coffee or Tea

APPENDIX C: SAMPLE NUTRITIONAL SCHEDULE (CON'T.)
 Prepared by State Department of Health, Office of Community
 Health Services, Nutrition Services. October 1, 1981
 NUTRITIOUS, ECONOMICAL MEALS - WEEK 3

	Breakfast	Lunch	Dinner
Sun.	Tomato Juice Cinnamon Roll Milk Coffee or Tea	Baked Steak Mashed Potatoes Gravy Buttered Kale Apple Pie Bread - Margarine Milk Coffee or Tea	Tomato Soup Crackers Tuna Salad Sandwich Relish Platter Peanut Butter Cookies Milk Coffee or Tea
Mon.	Mixed Citrus Fruit Hot Cakes Syrup - Margarine Milk Coffee or Tea	Cheeseburger French Fries Tossed Salad Sliced Peaches Milk Coffee or Tea	Fried Chicken Steamed Carrots Green Beans Bread - Margarine Lemon Pudding Milk Coffee or Tea
Tues.	Sliced Bananas Scrambled Eggs Bacon Toast - Jelly Milk Coffee or Tea	Macaroni & Cheese Buttered Spinach Apple Salad Bran Muffins Milk Coffee or Tea	Liver & Onions Stewed Tomatoes Three Bean Salad Corn Muffins Spice Cake Milk Coffee or Tea
Wed.	Orange Juice Corn Flakes Toast - Jelly - Margarine Milk Coffee or Tea	Brown Beans Sliced Onions Grated Carrot Salad Cornbread Apples Milk Coffee or Tea	Roast Beef & Gravy Mashed Potatoes Buttered Peas Congealed Fruit Salad Bread - Margarine Chocolate Brownies Milk Coffee or Tea
Thurs.	Grapefruit Juice Oatmeal with Milk Toast - Margarine Milk Coffee or Tea	Vegetable Soup Peanut Butter Sandwich Assorted Fruit Plate Milk Coffee or Tea	Meat Loaf Escalloped Potatoes Buttered Kale Pickled Beet Salad Peach Cobbler Milk Coffee or Tea
Fri.	Pineapple Juice (Vitamin C enriched) French Toast with Syrup Milk Coffee or Tea	Spaghetti Tossed Salad French Bread Orange Milk Coffee or Tea	Fish Sticks French Fries Buttered Peas Congealed Carrot Salad Apple Bread - Margarine Milk Coffee or Tea
Sat.	Applesauce Scrambled Eggs Bacon Toast - Jelly - Margarine Milk Coffee or Tea	Creamed Chicken with Biscuits Harvard Beets Cole Slaw Assorted Fruit Cup Milk	Pizza Tossed Salad Apple Pie Milk Coffee or Tea

APPENDIX D: SAMPLE SICK CALL COMPLAINT

SICK CALL FORM

Date: _____

NAME: _____ Time: _____

Symptoms: Exact Complaint in Detail: _____

Have you seen a physician for this complaint before? YES _____ NO _____
 If YES, when and what results: _____

The Health professional received the above information and issued the following instructions: (include name of professional contacted) _____

Action taken by staff including time health provider contacted, reactions to instructions and any interim care: _____

Signature: _____

_____ Jail Staff _____ Resident _____ Health Authority

APPENDIX G: SAMPLE PERSONAL PROPERTY FORM

PERSONAL PROPERTY RETAINED BY FACILITY

ITEMS:

- | | |
|----------|-----------|
| 1. _____ | 7. _____ |
| 2. _____ | 8. _____ |
| 3. _____ | 9. _____ |
| 4. _____ | 10. _____ |
| 5. _____ | 11. _____ |
| 6. _____ | 12. _____ |

I certify that the above is a correct list of items removed from my possession at the time I was placed in jail.

PRISONER'S SIGNATURE: _____

I hereby acknowledge the receipt of the above arrested individual and his/her itemized property on this _____ day of _____ 19____, at _____ AM PM

SIGNATURE OF RECEIVING OFFICER: _____

Date	Item(s) Released or Received-Including receipt or withdrawal of funds from resident's account	Signature of Person Receiving Item(s)	Signature of Officer Releasing Item(s)

Received all of the above listed property (minus any property previously released as indicated on this receipt) on this _____ day of _____ 19____, at _____ AM PM

PRISONER'S SIGNATURE: _____

APPENDIX H: SAMPLE APPLICATION FOR RELEASE FOR WORK AND OTHER PURPOSES.

IN THE CIRCUIT COURT OF _____ COUNTY, WEST VIRGINIA

PETITION FOR RELEASE FOR WORK OR OTHER PURPOSES

The undersigned, an inmate of the County Jail, hereby petitions the court for release pursuant to W. Va. Code, §62-11A-1 or 2 or §17-15-7.

In support of this petition the undersigned represents a desire to leave the jail for the purposes of:

- a. working at employment;
- b. seeking employment;
- c. conducting one's business or self-employment, including housekeeping and attending to needs of one's family;
- d. attending an educational institution;
- e. obtaining medical treatment;
- f. employment as allowed by §17-15-7 in that I am charged with a misdemeanor and unable to furnish bail;
- g. to a separate purpose which is as follows: _____

The undersigned inmate requests such leave from the jail because:

Necessary and reasonable hours for this leave will be:

I understand that my earning, if any, will be kept in a separate trust account for me by the clerk of the court.

(Date) _____

(Signature) _____

APPENDIX I: SAMPLE RULES AND REGULATIONS

I. RESIDENT RULES

- A. All inmates must obey the laws of the state.
- B. A resident caught destroying jail property may be charged.
- C. Firearms, files, saws, narcotics or other articles intended for use as weapons or for escape are contraband and their possessor will be punished.
- D. Escapes or attempted escapes, tampering with locks, etc. will be punished.
- E. Inmates shall not intentionally prevent an employee from lawfully performing his or her responsibilities or undertake such activities which endanger the welfare of others.
- F. Inmates may not be under the influence of drugs nor have them in their possession.
- G. Prisoners will not be allowed to impose punishment upon each other.
- H. Inmates are required to keep their cells clean. This includes sweeping and mopping the floors, cleaning the walls, wiping the bars, cleaning the toilets and basins.
- I. An inmate shall not remove blanket, pillows, sheets or mattresses from the cell area.
- J. Inmates shall not be permitted to keep any articles whatsoever under their mattresses. Articles such as letters, books, etc. may be kept in a box under the bunk.
- K. Packages with reasonable amounts of clean clothing may be mailed.
- L. Inmates are allowed to have a small transistor radio with an ear plug. This ear plug is to be used so as not to disturb others in the jail.
- M. Inmates may have in cell areas newspapers, books or magazines.

SANCTIONS

<u>Offense</u>	<u>Minimum</u>	<u>Maximum</u>
1. Possession of a weapon.	5	9
2. Attempting escape, tampering with locks, etc.	5	9

APPENDIX I: SAMPLE RULES AND REGULATIONS (con't.)

<u>Offense</u>	<u>Minimum</u>	<u>Maximum</u>
3. Intentional interference with an employee in the performance of his/her duties.	5	9
4. Setting a fire.	5	9
5. Assaulting another.	3	8
6. Destruction of property.	3	9
7. Threatening bodily harm.	2	6
8. Refusing to keep cell reasonably clean.	1	4
9. Stealing.	3	7
10. Possession of contraband.	3	8
11. Preventing an employee from lawfully performing his or her responsibilities or endangering the welfare of others.	1	7
12. Repeated minor violations of rules.	1	4
13. Abuse of release right sanctions.	3	8
1. Warning.		
2. Reprimand the fact of which will be recorded.		
3. Loss of trustee status.		
4. Loss of privilege(s) including loss of commissary, recreational, and television for a period of up to 7 days.		
5. Loss of privilege(s) for a period of more than one week.		
6. Loss or restriction of work or other release programs.		
7. Loss of Good Conduct time.		
8. Cell restriction for a maximum of 7 days for each offense.		
9. Cell restriction for a period of more than a week.		

The facility also may refer misconduct to the prosecuting attorney's office for criminal charges.

APPENDIX J: SAMPLE FORM
NOTICE TO INMATE OF DISCIPLINARY ACTION

DATE: _____

TO: _____

Be advised that you are charged with violating jail regulation no. _____
in that on the _____ day of _____ 19____, you allegedly:

Be advised that disciplinary action pursuant to jail regulation may include:

Be advised that whenever punishment exceeds loss of privileges for more than seven days you have the right to be heard before such punishment occurs. You have a right to present your side, question witnesses and to call witnesses unless the direction of the jail clearly determines that institutional safety will be endangered by calling a specific witness. You shall get a decision within 24 hours of the hearing.

Be advised that if punishment is for loss of privileges for less than 1 week, you do not have a right to a hearing before punishment is appealed but you may appeal the decision and get a written decision within two days time.

If you wish to have your punishment reviewed check here and send this to the sheriff or jailer.

INMATE: _____

DATE: _____

Decision: _____

Reasons for decision: _____

APPENDIX K: SAMPLE GRIEVANCE FORM

Agrieved Person(s):

NAME _____

Complaint:

Please briefly describe the jail condition, incident, or denial of privilege or right complained of:

(SIGNATURE) _____

(DATE) _____

Action taken: _____

Reason for Action: _____

(SIGNATURE OF JAILER OR SHERIFF) _____

If you are dissatisfied with this result your remedy is to pursuant appropriate legal action if any.

APPENDIX L: STATEMENT OF JUVENILE RIGHTS

As a juvenile in detention, you have the following legal rights:

1. You have the right to an immediate quick hearing to decide if you need to be in jail (the hearing must be prompt and no delay may extend beyond the next court day from when you are detained).
2. You have the right to a lawyer. You will be given a lawyer if you want one but cannot pay for one.
3. You do not have to talk about any acts which got you into jail but if you do, that information may be used against you.
4. You have the right not to be punished by physical force or solitary confinement. Nor can you be denied meals or family visits as punishment.
5. You have the right to physical exercise every day.
6. You have the right to wear your own clothing or other street clothing supplied and cleaned by the facility.
7. You have the right to full meals.
8. You have the right to daily shower.
9. You have the right to writing materials.
10. You have the right to send and receive mail without limitation, censorship or reading by the officials (except that incoming mail may be opened only in your presence, without being read, to inspect for contraband).
11. You have the right to make and receive telephone calls on a regular basis.
12. You have the right to make and receive long-distance telephone calls without charge to your family at least once a week.
13. You have the right to receive visitors every day.
14. You have the right to immediate access to medical care as needed.
15. You have the right to visit, call, and write to your lawyer.
16. You have the right to file written grievances involving the conditions of this facility or your treatment by a staff member or other resident. If you have any such complaints, you may file a written complaint with the Sheriff; and as a result of that complaint, you will, within twenty-four hours, be provided an opportunity to be heard and present witnesses if necessary, and within twelve hours thereafter receive a decision from the Sheriff including written reasons. If that result is not satisfactory, you have the right to appeal to the Circuit Judge of the County and file a court proceeding if necessary.

END